

JUDGE CROTTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SERGIO ANTONIO VARGAS,
a/k/a "Chiqui,"

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JAN 23 2008

INDICTMENT

08 Cr.

08 CRIM 063

COUNT ONE

The Grand Jury charges:

1. From on or about November 19, 2007, through on or about November 21, 2007, in the Southern District of New York and elsewhere, SERGIO ANTONIO VARGAS, a/k/a "Chiqui," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that SERGIO ANTONIO VARGAS, a/k/a "Chiqui," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one hundred grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1) and 841(b)(1)(B) of Title 21, United States Code.

3. It was a further part and an object of the conspiracy that SERGIO ANTONIO VARGAS, a/k/a "Chiqui," the

defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(C) of Title 21, United States Code.

Overt Act

4. In furtherance of the conspiracy, and to achieve the illegal objects thereof, the following overt act, among others, was committed in the Southern District of New York:

a. On or about November 21, 2007, SERGIO ANTONIO VARGAS, a/k/a "Chiqui," the defendant, attempted to sell cocaine and heroin to another individual.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Count One of this Indictment, SERGIO ANTONIO VARGAS, a/k/a "Chiqui," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Asset Provision


6. If any of the property described above as being

subject to forfeiture, as a result of any act or omission of the defendant --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)


Foreperson MICHAEL J. GARCIA
United States Attorney

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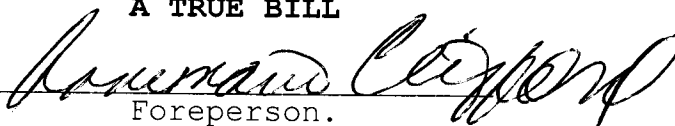
INDICTMENT

08 Cr.

(21 U.S.C. §§ 841(a)(1), 846 and 853)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

Not true bill as per by orally

M. J. Houston